II. AMENDMENT OF THE CLAIMS

COMPLETE LIST OF CLAIMS THAT ARE OR HAVE BEEN BEFORE THE OFFICE AFTER ENTRANCE OF THE AMENDMENTS MADE HEREIN

The following claims constitute a complete list of claims that are or have been before the office after entrance of the amendments made herein. Amendments to the claims are indicated in accord with Revised 37 C.F.R. §1.121 (which while having an effective date of July 30, 2003 the USPTO is urging to be complied with at this time). In accord with such regulation, the listing of claims set forth below replaces all prior versions, and listings, of claims in the application:

COMPLETE LIST OF CLAIMS THAT ARE OR HAVE BEEN BEFORE THE OFFICE AFTER ENTRANCE OF THE AMENDMENTS MADE HEREIN FOLLOW NEXT PAGE:

1. (CURRENTLY AMENDED) A method for preventing handheld wireless communication in a vehicle by an operator of said vehicle, said method comprising the steps of:

determining whether the velocity of the vehicle exceeds zero velocity (in any direction) and whether and for how long the operator's handheld wireless communication device is in operation; ~~and~~

restricting the operator's use of a handheld wireless communication device if the velocity of the vehicle is greater than zero unless a pre-defined exceptional condition exists;

receiving information as to how long the handheld wireless communication device is in use while the vehicle is in motion;

informing the operator of the moving vehicle that the operation of the handheld wireless communication device may be automatically terminated after a pre-determined period of time; and

actually terminating the operation of the handheld wireless communication device after the pre-determined period of time has run out.

2. (CURRENTLY AMENDED) The method according to claim 1, wherein the handheld wireless communication device comprises: a cellular phone; a PDA; ~~and/~~or a mobile personal computer.

3. (CURRENTLY AMENDED) The method according to claim 1, wherein the vehicle comprises: an automobile, a truck, a bus, a train, a tractor, a crane, a 2- or 3-wheel conveyance, a motorcycle, and/ or a floating device such as a boat, a ship, ~~and/~~ or an airplane.

4. (PREVIOUSLY PRESENTED) The method according to claim 1, wherein said step of determining the velocity of the vehicle includes sensing through a wireless means.

5. (PREVIOUSLY PRESENTED) The method according to claim 4, wherein said wireless means comprises:

a blue tooth means; and/or

an infrared means.

6. (PREVIOUSLY PRESENTED) The method according to claim 1, wherein the pre-defined exception condition comprises use of the handheld wireless communication device for emergency purposes.

7. (PREVIOUSLY PRESENTED) The method according to claim 6, wherein the emergency purpose is comprised of a list of emergency designations.

8. (PREVIOUSLY PRESENTED) The method according to claim 7, wherein an emergency designation comprises an emergency telephone number.

9. (ORIGINAL) The method according to claim 8, wherein the emergency telephone numbers are pre-stored in one of:

a control system installed in the moving vehicle and configured to restrict the use of the handheld wireless communication device when a safety hazard exists; and

the handheld wireless communication device.

10. (PREVIOUSLY PRESENTED) The method according to claim 1, wherein the step of restricting the operator's use of a handheld wireless communication device comprises:

sending a control signal to where the operator of the moving vehicle as well as the handheld wireless communication device are located;

where the handheld wireless communication device may intercept said control signal; which control signal may terminate the operation of the handheld wireless communication device .

11. (PREVIOUSLY PRESENTED) The method according to claim 1, wherein the use of the handheld wireless communication device comprises at least one step of:

receiving incoming communication information; and/or

transmitting outgoing communication information.

12. - 16. (CANCELLED)

17. (CURRENTLY AMENDED) The method according to claim **1 [[16]]**, wherein the wireless communication means comprises:

a blue tooth communication means; and/or

an infrared communication means.

18. (CURRENTLY AMENDED) The method according to claim **1 [[15]],** wherein the control signal is transmitted when use of the handheld wireless communication device by the operator of the vehicle is considered a potential safety hazard.

19. (PREVIOUSLY PRESENTED) The method according to claim 18, wherein the potential safety hazard is present when the current operating environment satisfies a condition wherein:

the handheld wireless communication device is turned on in the moving vehicle in a position in the vehicle associated with the operator of the vehicle;

the detected velocity and time span the moving vehicle exceeds zero; and

the handheld wireless communication device is not attached to a hands-free communication device.

20. (CANCELLED)

21. (PREVIOUSLY PRESENTED) The method according to claim **1** **[[15]]**, wherein the handheld wireless communication device comprises: a cellular phone, a PDA, or a mobile personal computer.

22. – 23 (CANCELLED)

24. (CURRENTLY AMENDED) The method according to claim **1** **[[15]]**, wherein said step of restricting the operation of the handheld wireless communication device in accordance with the control signal is not performed if a pre-defined exception condition exists.

25. – 33. (CANCELLED)

34. (ORIGINAL) A method for a service provider providing wireless communication services to a user on a handheld wireless communication device, comprising the steps of:

forwarding communication signals from and to the handheld wireless communication device;

receiving information sent from the handheld wireless communication device, wherein the received information indicates a length of a period during which the user uses the handheld wireless communication device while driving a moving vehicle by overriding a restriction on the use of the handheld wireless communication device issued based on a detected potentially safety hazardous condition; and

penalizing the user of the handheld wireless communication device based on the received information.

35. (PREVIOUSLY PRESENTED) The method according to claim 34, wherein the handheld wireless communication device comprises: a cellular phone, a PDA, and/or a mobile personal computer.

36. (PREVIOUSLY PRESENTED) The method according to claim 34, wherein the vehicle comprises: an automobile, a truck, a bus, a train, a tractor, a crane, a 2-or 3-wheel conveyance, a motorcycle, or a floating device, such as a boat, a ship or an airplane.

37. (PREVIOUSLY PRESENTED) The method according to claim 34, wherein the potentially safety hazardous condition comprises at least one of:

the handheld wireless communication device is turned on in the vehicle while the vehicle is moving at a certain velocity above zero; and

the handheld wireless communication device is turned on in the moving vehicle and is not attached to a hands-free communication device.

38. (ORIGINAL) The method according to claim 34, wherein said step of penalizing is determined according to at least one of:

a service agreement between the service provider and the user; and

a government regulation.

39. (ORIGINAL) The method according to claim 34, wherein said step of penalizing includes:

imposing a higher rate of service charge for the length of the period during which the user overrides the restriction on the use of the handheld wireless communication device; and

reporting to an authority that the user has overridden a restriction on the use of the handheld wireless communication device while driving when a potentially safety hazardous condition is detected.